

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-13 and 18-28 are pending in the application, with claims 1 and 18 being the independent claims. Claims 1 and 3-18 are sought to be amended. Claims 14-17 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein. Applicants reserve the right to prosecute similar or broader claims, with respect to the cancelled and/or amended claims, in the future. New claims 22-28 are sought to be added. These changes are believed to introduce no new matter, and their entry is respectfully requested.

With respect to this Application, Applicants hereby rescind any disclaimer of claim scope made in the parent application or any predecessor or related application. The Examiner is advised that any previous disclaimer of claim scope, if any, and the references that it was made to allegedly avoid, may need to be revisited. Nor should any previous disclaimer of claim scope, if any, in this Application be read back into any predecessor or related application.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 103

Claims 1-3

Claims 1-3 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over United States Patent No. 6,097,706 to Fielding et al. (herein

"Fielding") in view of United States Patent Publication No. 2001/0039600 to Brooks et al. (herein "Brooks") and in view of "Adapting the DOCSIS Protocols for Military Point to Multipoint Wireless Links" to Alessi et al. (herein "Alessi"). Applicants respectfully traverse the aforementioned rejection and the Response to Arguments on Pages 2- 8 of the Office Action dated October 7, 2008 (herein "Office Action") and provide the following arguments to support patentability.

The Office Action provides that Fielding "fails to disclose components of the satellite modem." Office Action, Page 9. However, the Office Action alleges that the combination of Brooks and Alessi provides the missing teachings or suggestions with respect to claim 1. For the reasons to be discussed below, the combination of Brooks and Alessi does not teach or suggest at least the feature of "a turbo decoder coupled to the burst demodulator and the DOCSIS MAC configured to decode the demodulated data from the burst demodulator and to send decoded data to the DOCSIS MAC, wherein the DOCSIS MAC sends DOCSIS management packets portion of the decoded data to the host processor and sends transmit packet data portion of the decoded data to the at least one data network" as recited by claim 1. Fielding does not provide the missing teachings or suggestions with respect to claim 1, nor does the Office Action allege that Fielding provides the missing teachings or suggestions with respect to claim 1 to render claim 1 obvious. Therefore, the Office Action fails to disclose a *prima facie* case of obviousness.

The United States Supreme Court, in *KSR International vs. Teleflex, Inc.*, No. 04-1350 (U.S. April, 30, 2007), ruled on the requirements for obviousness analysis under 35 U.S.C. 103(a). The MPEP provides guidelines for supporting a *prima facie* obviousness rejection based on combining references. According to the M.P.E.P.,

[t]o reject a claim based on this rationale, Office personnel must resolve the Graham factual inquiries. Then, Office personnel must articulate the following:

(1) a finding that the prior art included each element claimed, although not necessarily in a single prior art reference, with the only difference between the claimed invention and the prior art being the lack of actual combination of the elements in a single prior art reference.

M.P.E.P. §2143.A (emphasis added).

However, the Office Action does not allege that Fielding, Brooks, Alessi, or any combination thereof teach or suggest at least the features of "a turbo decoder... configured to decode the demodulated data from the burst demodulator" and/or "a turbo decoder... configured to send decoded data to the DOCSIS MAC" as recited by claim 1. In fact, as to be discussed below, Brooks does not teach or suggest at least these aforementioned features of claim 1.

A cable modem of Brooks "utilizes the Advanced System Bus (ASB 210) and Advanced Peripheral Bus (APB 214) protocol and bus architecture as specified in the Advanced Microcontroller Bus Architecture (AMBA) specification." Brooks, para. [0032]. According to Brooks,

[t]he ASB 210 is generally utilized for high-performance system modules, supporting the efficient connection of processors, on-chip memories, and off-chip external memory interfaces with low-power peripheral/macrocell functions.

Brooks, para. [0032].

The ASB 210 is the bus on which a first processor 102, a second processor 104, RAM memory 106, and other direct memory access (DMA) devices reside. *See*, Brooks, para. [0034]. For example, an "ASB decoder 220 is ... coupled to the ASB 210." Brooks, para. [0041].

The ASB decoder 220 represents to a circuit having two or more bits of an address bus as inputs and one or more device selection lines as outputs referred to as an address decoder. *See*, Brooks, para. [0041] ("ASB decoder 220 decodes addresses on the ASB 210, and provides selection signals to each ASB slave."). When an address for a particular device appears on the ASB 210, the ASB decoder 220 asserts a selection line for the particular device. *See*, Brooks, para. [0041].

Assuming arguendo that Alessi teaches a Turbo Product Code (TPC), combining the address decoder of Brooks, namely the ASB decoder 220, with the TPC of Alessi does not teach or suggest at least the feature of "a turbo decoder coupled to the burst demodulator and the DOCSIS MAC configured ***to decode the demodulated data from the burst demodulator and to send decoded data to the DOCSIS MAC***" as recited by claim 1. There is no teaching or suggestion in Brooks that the ASB decoder 220 decodes addresses from a cable downstream PHY circuitry 114 or that the ASB decoder 220 sends selection signals to the DOCSIS MAC, nor does the Office Action allege that the combination of Fielding, Brooks, and Alessi teaches or suggests these aforementioned features of claim 1.

Accordingly, combination of Fielding, Brooks, and Alessi does not teach or suggest each and every feature of claim 1. Therefore, the Office Action fails to disclose a *prima facie* case of obviousness. Dependent claims 2 and 3 are likewise not rendered obvious by the combination of Fielding, Brooks, and Alessi for the same reasons as claim 1 from which they respectively depend and further in view of their own respective features. Accordingly, Applicants respectfully request that the rejection of claims 1-3 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 4-13

Claims 4-13 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Fielding in view of Brooks and in view of Alessi, and in further view of one or more of the following:

United States Patent No. 6,650,624 to Quigley et al. (herein "Quigley");

United States Patent No. 7,050,419 to Azenkot et al. (herein "Azenkot");

United States Patent No. 7,310,522 to Geile et al. (herein "Geile");

United States Patent Publication No. 2003/0206561 to Schmidl et al. (herein "Schmidl"); and

"Turbo-coded OFDM System for a Mobile Satellite Broadcasting System" to Kim (herein "Kim").

Applicants respectfully traverse the aforementioned rejection and the Response to Arguments on Pages 2- 8 of the Office Action and provide the following arguments to support patentability.

As discussed above, the combination of Fielding, Brooks, and Alessi does not teach or suggest each and every feature of claim 1. Quigley, Azenkot, Geile, Schmidl, and Kim do not provide the missing teachings or suggestions with respect to claim 1 nor does the Office Action allege that Quigley, Azenkot, Geile, Schmidl, and Kim provide the missing teachings or suggestions with respect to claim 1 to render claim 1 obvious. Dependent claims 4-13 are likewise not rendered obvious by any combination of Fielding, Brooks, Alessi, Quigley, Azenkot, Geile, Schmidl, and Kim for the same reasons as claim 1 from which they respectively depend and further in view of their own

respective features. Accordingly, Applicants respectfully request that the rejection of claims 4-13 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 14-17

Claims 14-17 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Quigley in view of Alessi. Applicants have cancelled claims 14-17 rendering the rejection under 35 U.S.C. § 103(a) to claims 14-17 moot.

Claims 18-21

Claims 18-21 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Brooks in view of Alessi. Applicants respectfully traverse the aforementioned rejection and the Response to Arguments on Pages 2- 8 of the Office Action dated October 7, 2008 (herein "Office Action") and provide the following arguments to support patentability.

From the discussion above in regards to claim 1, Brooks does not teach or suggest at least the feature of "a turbo decoder coupled to the burst demodulator and the DOCSIS MAC configured to decode the demodulated data from the burst demodulator and to send the decoded data to the DOCSIS MAC" as recited by claim 18. Alessi does not provide the missing teachings or suggestions with respect to claim 18, nor does the Office Action allege that Alessi provides the missing teachings or suggestions with respect to claim 18 to render claim 18 obvious. Therefore, the Office Action fails to disclose a *prima facie* case of obviousness. Dependent claims 19-21 are likewise not rendered obvious by the combination of Brooks, and Alessi for the same reasons as claim

18 from which they respectively depend and further in view of their own respective features. Accordingly, Applicants respectfully request that the rejection of claims 18-21 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

New claims

New claims 22-28 have been added. From the discussion above, Applicants have traversed the rejections to independent claims 18. Dependent claims 22-28 are likewise allowable for the same reasons as the independent claims from which they respectively depend and further in view of their own respective features.

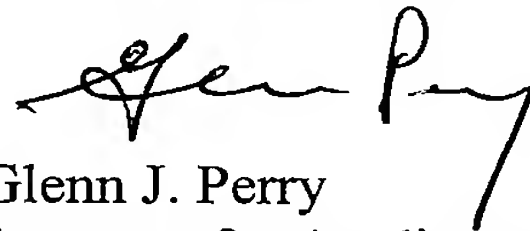
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Glenn J. Perry
Attorney for Applicants
Registration No. 28,458

Date: 25 Nov. 2008

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600
891545_1.DOC